

AMENDED IN ASSEMBLY MAY 10, 2011

AMENDED IN ASSEMBLY APRIL 27, 2011

AMENDED IN ASSEMBLY APRIL 5, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 515

**Introduced by Assembly Member Brownley
(Coauthor: Assembly Member Smyth)**

February 15, 2011

An act to add and repeal Section 78302 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 515, as amended, Brownley. Public postsecondary education: community colleges: extension program.

Existing law establishes the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges. The governing board of any community college district is authorized, without approval of the board of governors, to establish and maintain community service classes in civic, vocational, literacy, health, homemaking, technical, and general education, as specified.

This bill would authorize the governing board of any community college district, without approval of the board of governors, to establish and maintain an extension program offering credit courses.

The bill would specify that the courses be required to be self-supporting, open to the public, and developed and conducted in conformance with specified statutory and regulatory guidelines. No General Fund moneys would be expended to establish or maintain the

~~courses except program revenues generated by these provisions, nor would an extension program course be allowed to supplant regularly funded courses. Administrative costs would be required to be minimized to the greatest extent possible. Extension courses would not be allowed to reduce state-funded courses relating to basic skills. This bill provisions. The bill would prohibit districts from allowing extension credit courses to supplant courses funded with state apportionments and from reducing certain state-funded course sections with the intent of reestablishing those course sections as part of an extension program, and would require district boards to annually certify compliance with these requirements prohibitions, as specified. The bill would also prohibit extension credit courses from being conducted in a manner that supplants the use of district instructional space for courses funded with state apportionments.~~

This bill would allow community college districts to charge students for the actual costs of the courses, as defined, *and would require administrative costs to be minimized to the greatest extent possible.* Each participating district would be required to collect and keep records relating to the extension program and submit them to the chancellor's office by October 1 of each year. This information would, in turn, be submitted by the chancellor to the Legislative Analyst by November 1 of each year. The bill would require the Legislative Analyst to submit a written report to the Legislature by November 1, 2015, summarizing the information provided by the chancellor, assessing compliance of the program with the Legislature's intent, and suggesting any needed statutory improvements.

The bill would make the requirement for a report to the Legislature inoperative on January 1, 2019. This act would remain in effect only until January 1, 2019, unless that date is deleted or extended.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 78302 is added to the Education Code,
- 2 to read:
- 3 78302. (a) The governing board of any community college
- 4 district may, without the approval of the Board of Governors of
- 5 the California Community Colleges, establish and maintain an
- 6 extension program offering credit courses.

(b) An extension program offering credit courses established under this section shall have the following characteristics:

(1) The program shall be self-supporting, and all costs associated with the program ~~must~~ *shall* be recovered.

(2) Program enrollment shall be open to the public.

(3) The program shall be developed in conformance with the *provisions of the* Education Code and Title 5 of the California Code of Regulations governing community college credit courses.

(4) The provisions of Section 87482.6 providing that 75 percent of the hours of credit instruction should be taught by full-time instructors shall apply to extension programs offering credit classes established under this section.

(5) Program revenues, and program expenditures conforming to the current expense of education as defined by subdivision (c) of Section 84362, shall be included by the district in complying with subdivision (d) of Section 84362 ~~requiring~~, *which requires* that 50 percent of the district's current expense of education *to* be expended during each fiscal year for payment of salaries of classroom instructors.

(6) The program shall be subject to district collective bargaining agreements.

(c) Governing boards shall not expend any General Fund moneys to establish and maintain extension courses other than program revenues generated under this section.

(d) Extension credit courses shall not supplant courses funded with state ~~apportionment~~ *apportionments*. Districts shall not reduce state-funded course sections needed by students to achieve basic skills, workforce training, or transfer goals, with the intent of reestablishing those course sections as part of the extension program. District boards of ~~trustees~~ *governors* shall annually certify compliance with this subdivision by board action taken at a regular session of the district governing board.

(*e*) *Extension credit courses shall not be conducted in district instructional space in a manner that supplants the use of district instructional space for courses funded with state apportionments.*

~~(e)~~

(f) Governing boards may charge students enrolled in extension courses a fee not to exceed the cost of maintaining extension courses. Actual costs shall include the actual cost of instruction, the cost of necessary equipment and supplies, student services and

1 institutional support costs, and other costs of the district used in
2 calculating the costs of education for nonresident students. To the
3 greatest extent possible, districts shall minimize the costs of
4 administration.

5 ~~(f)~~

6 (g) Degree credit courses offered as extension courses shall
7 meet all the requirements in subdivision (a) of Section 55002 of
8 Title 5 of the California Code of Regulations.

9 ~~(g)~~

10 (h) (1) Each community college district maintaining an
11 extension program offering credit courses under this section shall
12 collect and keep records that measure student participation, student
13 demographics, and student outcomes in a manner consistent with
14 measures collected by districts in regular credit programs supported
15 through state apportionment, including an analysis of program
16 effects, if any, on district workload and district financial status.
17 Districts shall submit this information to the ~~Chancellor's~~
18 *chancellor's* office by October 1 of each year. For districts
19 operating more than one college, the evaluation shall be for each
20 participating college.

21 (2) The chancellor shall submit all district information provided
22 pursuant to paragraph (1) to the Legislative Analyst by November
23 1 of each year. By January 1, 2015, the Legislative Analyst shall
24 submit to the Legislature a written report that includes a summary
25 of the information provided pursuant to ~~subdivision (g)~~ *paragraph*
26 *(1)*, an assessment of the extent to which community college
27 extension programs are operated in a manner consistent with
28 legislative intent, and suggestions to the Legislature for needed
29 statutory improvements.

30 ~~(h)~~

31 (i) The requirement for submitting a report imposed under
32 paragraph (2) of subdivision ~~(g)~~ (h) is inoperative on January 1,
33 2019, pursuant to Section 10231.5 of the Government Code.

34 ~~(i)~~

35 (j) A report submitted pursuant to subdivision ~~(g)~~ (h) shall be
36 submitted in compliance with Section 9795 of the Government
37 Code.

38 ~~(j)~~

1 (k) This section shall remain in effect only until January 1, 2019,
2 and as of that date is repealed, unless a later enacted statute, that
3 is enacted before January 1, 2019, deletes or extends that date.

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